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RIGHTS OF THE CHILD

Written statement submitted by the International Union of Young Christian Democrats, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV)

[30 December 1991]

Violations of the human rights of Cuban youth

1. For 33 years the Communist regime in Cuba has tried to create "the new man". For this purpose it has for many years devoted its best efforts to bringing up the new generations of Cubans in the ideals of Marxism-Leninism. In 1978, Act No. 16, known as the "Children's and Young People's Code", was adopted. Article 1 of this Act stipulates that this article will regulate the participation of persons under the age of 30 in the construction of the new society and that the objective of education is to promote the formation of the communist personality in the younger generation.

2. Article 3 of the Code provides that the communist training of the younger generation is a noble aspiration of the State, the family, teachers, and the political, social and mass organizations, ensuring that the ideological values

of communism develop in children and young people, and promoting in them devotion to the cause of socialism and communism and fidelity to the working class and its Marxist-Leninist vanguard - the Communist Party of Cuba. It will also inculcate and promote fidelity to the principles of proletarian internationalism, and to relations of brotherhood and cooperation with the Soviet Union and other countries of the socialist community.

3. Article 8 provides that society and the State shall work for the effective protection of young people from any negative influence on their training. Young people are accordingly obliged to reject any manifestation of criminal, anti-social or deviationary conduct, and to combat the negative attitudes and conceptions of the old society. When we analyse this article, we see that its purpose is to ensure that the rising generations break with the past, and to this end an attempt has been made to prise them away from their parents and grandparents, precisely with the aim of creating the "new man".

4. As can be clearly seen from these three articles alone, Cuban children and young people are required by law to accept and respect communism in all its manifestations; in addition, the education which they receive is markedly ideological-political in character, beginning as soon as they enter playschool (under six years of age) and lasting until their graduation from university. Within the educational system there is also a marked cult of the personality of Fidel Castro and glorification of war.

5. All these generations of Cuban children and young people are being denied the right to freedom of thought, conscience and religion, freedom of expression and opinion, and freedom to seek, receive and circulate information and ideas of any kind.

6. This legal aspect gives us an insight into the present situation of Cuban youth. By law they have to be communist. Any person who is not fully in agreement with the directives of the regime is regarded as an ideological deviationist and this entails a series of sanctions which may range from expulsion from school or university or losing one's job to imprisonment.

7. Another important point that must be mentioned is that the Cubans are at present suffering great discrimination in relation to foreigners, and basically those most affected are young people. At this very moment the Cuban regime is deeply involved in earning hard currency, and to this end there are in Cuba places in the so-called "dollar area". Only people who are able to pay in dollars are allowed to enter these places, and by law no Cuban is allowed to carry dollars. Thus young Cubans cannot go to beaches, restaurants, cafeterias, discotheques, recreation centres and hotels which are exclusively reserved for foreigners.

8. Young Cubans are being constantly prosecuted and punished and, according to official figures, in the past two years more than 1 million cases have come before the courts, 90 per cent of these involving persons under the age of 30. This is due to the fact that within the Penal Code in force in Cuba there is a Social Danger Act; this danger may be "pre-delinquent" or "post-delinquent". The Act provides for the implementation of security measures in order to prevent offences by persons deemed to constitute a danger

and whose conduct runs counter to "socialist morality". Conduct which "indicates a danger" includes habitual drunkenness, alcoholism, drug addiction, and "anti-social conduct", which is defined in the Act as conduct which habitually disrupts social coexistence through violence and provocative acts and violates the rights of others, living as a "social parasite" on the work of others or engaging in socially unacceptable vices.

9. Young Cubans are at this very moment bearing the brunt of the harsh treatment being meted out, especially those who have studied in the countries of eastern and central Europe or the Soviet Union and are now living in Cuba. They have seen for themselves all the processes of liberalization in those countries and have brought back with them the new ideas, which they now want to share with other young people.